

In The Matter Of:
Hodell-Natco Industries, Inc. v.
SAP America, Inc., et al.

Edward Neveux
March 15, 2012

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HODELL-NATCO)	Case No. 1:08 CV 2755
INDUSTRIES, INC.,)	
)	Judge: Lesley Wells
Plaintiff,)	Magistrate Judge:
)	Greg White
vs.)	
)	VOLUME I
SAP AMERICA, INC., et)	
al.,)	
)	
Defendants.)	

AUDIOVISUAL DEPOSITION OF EDWARD NEVEUX

DATE: Thursday, March 15, 2012
TIME: 9:17 a.m.
PLACE: Residence Inn
91 Hall Street
Concord, New Hampshire

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61

1 written better than it was to try to address
2 the performance issues it was having.

3 Q Okay. When Ralf is referencing the data set
4 issue at Hodell, do you know specifically
5 what data set issue he's talking about?

6 A I don't know how to answer that. I want to
7 say, no, I don't specifically know, but I
8 would think it would be in reference to,
9 again, going back to the original e-mails,
10 that the overall size of the data that LSi
11 had at the time from Hodell was working with,
12 which initially in 2006 we said was over the
13 limits. That's what I believe he's referring
14 to in the data set when he's referring to the
15 data being too large.

16 Q Ralf's conclusion or his summary is, quote,
17 "Hodell just has too much data. SAP Business
18 One cannot handle it, and there is no fix in
19 sight. I believe we need to find a way to
20 get customer off SAP Business One," unquote.

21 A Yes, sir.

22 Q Was that your conclusion at this time also?

23 A No. I mean, it wouldn't have been anywhere
24 in my, you know, frame of reference, because
25 I don't really deal with it to say, you know,

Edward Neveux - March 15, 2012

103

1 unless he could give us a hundred percent,
2 that we know we can handle data sets as large
3 as Hodell, then this wasn't going to be a
4 solution for them.

5 Q Okay. Finishing off that sentence you just
6 read, it says, "As this core issue is a
7 Business One issue in its own base code."
8 What did you mean by that?

9 A I believe what I was saying there is that
10 there were already -- well, we already knew
11 there were performance issues in large data
12 sets just in Business One itself; that, you
13 know, the issue itself was just part of
14 Business One's core code. I mean, it was
15 part of Business One.

16 So unless he could guarantee, which is
17 really, I guess you could say -- unless he
18 could guarantee 2007A was able to handle
19 larger data sets and he knew that for a fact
20 and it was somewhere in writing, then I was
21 saying this isn't going to be a solution for
22 Hodell.

23 Q Okay. How long had you known that large data
24 sets was an issue in Business One's core
25 code? Was it since you started at SAP?

Edward Neveux - March 15, 2012

148

1 A Yes -- well, again, you can code any way.
2 It's basically -- I don't want to say
3 criticizing. What she's saying was, as I
4 was, because we physically didn't have the
5 code, why are they doing these things in
6 these areas.

7 Q And then you replied to her e-mail, right, on
8 the --

9 A First page.

10 Q -- first page, right?

11 A Yes.

12 Q And again reiterated the issues with Hodell's
13 environment, including the database size,
14 right?

15 A Yes, sir.

16 Q And then two paragraphs down, you also
17 reference performance degradation as more
18 users come up onto the system, correct?

19 A Yes.

20 Q How did you come to that conclusion?

21 A I think it was just based on, you know, being
22 there. I don't remember. I think I was
23 there not real early, but early in the
24 morning, when there were fewer users.

25 And as the day progressed, some more

Edward Neveux - March 15, 2012

149

1 users came onto the system, and they were
2 specifically in the areas where, you know,
3 we already knew of performance issues, such
4 as sales orders and so forth, where In-Flight
5 also affected that.

6 And then at that point we started to
7 notice some performance degradation, but in
8 the paragraph above it, I did say,
9 "Personally, the performance that I witnessed
10 yesterday was not as bad as I thought."

11 I actually thought when I went to
12 Hodell, very nice people, but I thought I was
13 going to get my head chewed off, because, you
14 know, all the e-mails prior to that, where
15 the performance was just so bad. And I mean,
16 I actually thought that the system was
17 unusable.

18 And for the people that I sat with --
19 and I definitely didn't sit with anybody. I
20 just tried to sit with some key people doing
21 key things on software where In-Flight was
22 being used, you know, while I expected to see
23 it just lock up, stop, and, you know, you
24 wouldn't be able to do anything. You know,
25 performance was a bit of a nuisance, but it

Edward Neveux - March 15, 2012

150

1 wasn't like they couldn't work on the system,
2 at least from what I saw on that particular
3 day.

4 Q Do you have an opinion one way or the other
5 as to whether it was acceptable, whether the
6 performance of the system was acceptable from
7 a customer's point of view?

8 A That's a personal opinion. I sat there
9 trying to be objective, because I worked for
10 many other software companies, and while I
11 felt to myself it was a bit of a nuisance, I
12 didn't feel like, if I were sitting in that
13 particular chair doing that work, that I
14 would not be able to do my day-to-day work.

15 I mean, I totally expected, you know,
16 really bad things, and I didn't see it that
17 way.

18 Q Do you have any reason to disagree with
19 Hodell's point of view that the system was
20 unacceptable for based upon what they had
21 purchased?

22 MR. STAR: Objection to form.

23 You can answer it.

24 A From my personal opinion, I guess how they --
25 I guess as them, and I'm not them. But I

Edward Neveux - March 15, 2012

161

1 talking to another programmer.

2 Q Okay. Well, did Apollo find any -- in the
3 parts of the code that Apollo did get to
4 review, do you recall them finding any issues
5 with it?

6 A I remember two things. I remember saying
7 that for what they did get -- but, you know,
8 they couldn't tell, because they didn't get
9 everything. They got bits and pieces.

10 I remember them saying that the coding
11 was good, but they did find places which did
12 fall in line with what we recommended, we
13 being SAP, where they felt that LSi could
14 still improve on their code to give better
15 performance out of their code.

16 Q You do end up making the statement to them in
17 the second paragraph though, that the add-on
18 code is by no means the only factor with
19 respect to performance, correct?

20 A Right, because I mentioned infrastructure,
21 and that was based on the visit there. I
22 felt that there were two things. There was
23 the actual add-on code from LSi, being
24 In-Flight, and then I said I believe that
25 there was infrastructure issues there, which